

REMARKS

Status of the Claims:

Claims 21 – 53 are currently pending.

Claims 1 – 20 and 54 – 75 are cancelled.

Claims 21, 29 and 50 are currently amended.

Amendments to the Claims

No new matter has been added by way of the claim amendments.

Claim 21 is presently amended to incorporate all of the limitations of the peptide of claim 1 into claim 21. Claim 1, to which claim 21 originally referred, has been cancelled. Additionally, the SEQ ID NO identifier of the sequence G-K-A-X₁-X₂-X₃ has been added (SEQ ID NO:17). The sequence identifier is identified elsewhere in the specification in at least paragraph [0057].

Claim 29 is presently amended to place the alternative selections into Markush format.

Claim 50 is presently amended to correct a minor grammatical error.

Response to Notice of Non-Compliant Amendment

Applicants responded to a previous Restriction Requirement in a response mailed May 7, 2009. In that response, Applicants elected Group III (claims 21 – 53) without traverse and made an additional election of G-K-A-F-R-R as the peptide sequence of Group III, also without traverse. Applicants cancelled claims 1 – 19 and claims 54 – 75. In response to the instant Notice of Non-Compliant Amendment, Applicants also hereby cancel claim 20 with this response.

Other amendments to the claims presented in the present response are to correct minor informalities therein.

Response to Requirement for Sequence Listing

In the Notice of Non-Compliant Amendment, the Examiner also required Applicants to submit a Sequence Listing. Applicants acknowledge the Examiner's requirement for submission of a Sequence Listing and are complying with the Examiner's requirement as a separate submission in compliance with 37 CFR 1.821.

The Examiner has requested that Applicants claim the variable sequence G-K-A-X₁-X₂-X₃ as SEQ ID NO:1 and the elected peptide G-K-A-F-R-R as SEQ ID NO:2. However, Applicants note that these peptides are already labeled as SEQ ID NOs:17 and 9, respectively, in the application. Therefore, in the interest of clarity, Applicants will continue to use the nomenclature expressly set forth previously in the application, except where corrections to the specification are necessary to remedy inconsistencies in the SEQ ID numbering therein.

Amendments to the specification included as part of the instant response have been included to provide SEQ ID numbering of all sequences in the specification commensurate with the submitted Sequence Listing. No new matter has been introduced by way of the amendments to the specification.

CONCLUSION

Claims 21 – 53 remain pending in the application. Applicants respectfully request that the Examiner now allow examination of these remaining claims to proceed on their merits.

Although Applicants do not believe any additional fees other than the extension of time are due, the Director is hereby authorized to charge any fees or credit any overpayment due to Deposit Account Number 23-2426 of Winstead PC (referencing matter number 50562-P001US).

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at 713-650-2663.

Respectfully submitted,

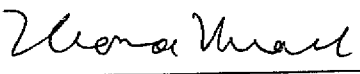
WINSTEAD PC

Agent for Applicants

ATTORNEY DOCKET NO
50562-P001US

PATENT
U.S. Ser. No. 10/535,351

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